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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,796	10/26/2001	Harald Krodel	10537/172	6056
26646	7590	11/17/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			BADI, BEHRANG	
		ART UNIT		PAPER NUMBER
				3621
DATE MAILED: 11/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/016,796	KRODEL, HARALD
	Examiner	Art Unit
	Behrang Badii	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 8/29/05 have been fully considered but they are not persuasive. Mahar does check data records (col.13, 33-68; col.14, 1-36). Mahar does discloses that data in the records can be changed (revisable) (col. 1, 42-61; col.15, 44-53). Mahar discloses an interface several times, and these interfaces can be different interfaces (col.2, 26-61).

2112 [R-2] Requirements of Rejection Based on Inherency; Burden of Proof

The express, implicit, and inherent disclosures of a prior art reference may be relied upon in the rejection of claims under 35 U.S.C. 102 or 103. "The inherent teaching of a prior art reference, a question of fact, arises both in the context of anticipation and obviousness." *In re Napier*, 55 F.3d 610, 613, 34 USPQ2d 1782, 1784 (Fed. Cir. 1995) (affirmed a 35 U.S.C. 103 rejection based in part on inherent disclosure in one of the references). See also *In re Grasselli*, 713 F.2d 731, 739, 218 USPQ 769, 775 (Fed. Cir. 1983).

Claims 1-13 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Mahar, U.S. patent 5,418,965.

As per claims 1 and 5, Mahar discloses a method/information system for verifying electronic data records including at least one of electronic shipping-voucher data and shipping data sent by a sender to an information system, comprising the steps of:

an interface (col.2, 42-61) for receiving the electronic data record by the information system (The system receives data. col.5, 50-62);
checking the data record by the information system for a presence of errors (The system checks for errors. col.13, 43-68; col.14, 1-36);

an interface (col.2, 26-61) routing the data record to a receiver if the data record is error-free (col. 15. 54-65; fig's. 4 & 5; The system routes and stores data from one database onto another.); and

storing the data record in a defined access area of the information system if the data record is faulty (There is a table for storing errors and there is also storage for more than one kind of error. col.13, 43-68; col.14, 1-36; fig.6), the data record stored in the defined access area being examinable by the sender and revisable (col.2, 1-25; The data can be examined) (col.1, 42-61; col.15, 44-53).

As per claims 2, Mahar discloses adjusting information of the data record in accordance with ordering information stored in a database (col.15, 44-53).

As per claims 3, Mahar discloses wherein the checking step is performed for a plurality of at least one of plants and areas of plant operations of a system provider

jointly at a single central location (There is a central processing CPU that undertakes various activities, including storing data on various databases. col.1, 38-65).

As per claims 4, Mahar discloses analyzing a number and a type of errors of faulty data records contained in the defined access area with respect to development over time; and displaying information in the defined access area in accordance with the analyzing step (col.13, 43-68; col.14, 1-36).

As per claims 6, Mahar discloses an interface to a database containing order information (col.2, 42-61).

As per claims 7, Mahar discloses wherein the data records contained in the defined access area are inspectable and revisable (col.2, 1-25; fig.6) by the sender (user) via the Internet (network) (col.7, 1-52).

As per claims 8, Mahar discloses wherein the faulty data records stored in the defined access area are inspectable by the receiver (user) (col.2, 1-25; fig.6).

As per claims 9, Mahar discloses wherein the data records contained in the defined access area are inspectable and revisable (col.2, 1-25; fig.6) by the sender (user) via a data network (col.7, 1-52).

As per claim 10, Mahar discloses comprising the step of correcting the faulty data record stored in the defined access area of the information system (col. 13, 33-68; col.14, 1-36).

As per claim 11, Mahar discloses wherein the faulty data record is stored with an associated error code (col. 13, 33-68; col.14, 1-36).

As per claim 12, Mahar discloses further comprising a fourth interface to correct the faulty data record (correcting/changing data) (col. 13, 33-68; col.14, 1-36) (col.2, 26-61).

As per claim 13, Mahar discloses further comprising an associated error code stored with the faulty data record (col. 13, 33-68; col.14, 1-36).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 571-272-6879. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to (703)872-9306

Hand delivered responses should be brought to

United States Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is **(703) 306-5771**.

Behrang Badii
Patent Examiner
Art Unit 3621

BB

*Behrang Badii
PRIMARY EXAMINER*